## BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

FILED

SEP 1 1 2018

STATE OF OKLAHOMA, ex rel. JOHN D.	)	INSURANCE COMMISSIONER
DOAK, Insurance Commissioner,	)	OKLAHOMA
	)	
Petitioner,	)	
vs.	)	CASE NO. 18-0620-DEN
MARRIK VANDERSEE, a renewal applicant	)	
for a resident limited lines producer license,	)	
	)	
Respondent.	)	
	)	
	)	

# CONDITIONAL ADMINISTRATIVE ORDER AND NOTICE OF RIGHT TO BE HEARD

COMES NOW the State of Oklahoma, ex rel. John D. Doak, Insurance Commissioner, by and through counsel, Sandra G. LaVenue, and alleges and states as follows:

#### **JURISDICTION AND AUTHORITY**

- 1. John D. Doak is the Insurance Commissioner of the State of Oklahoma and as such is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101 et seq., including the Oklahoma Insurance Producer Licensing Act, 36 O.S. §§ 1435.1 through 1435.41.
- 2. Marrik Vandersee ("Respondent") is a renewal applicant for a resident limited lines producer license in the State of Oklahoma. Respondent's mailing address of record is 122 N. Broadway, Weatherford, OK 73096.
- 3. The Insurance Commissioner may censure, suspend, revoke, or refuse to issue or renew a license issued pursuant to the Oklahoma Insurance Producer

Licensing Act and/or may levy a fine of not less than \$100.00 nor more than \$1,000.00 for each occurrence of a violation of the Oklahoma Insurance Code pursuant to 36 O.S. § 1435.13.

- 4. If Respondent requests a hearing in writing in this matter, pursuant to *OAC 365:1-7-1*, the Insurance Commissioner, pursuant to *36 O.S. § 319*, will appoint an independent hearing examiner who shall sit as a quasi-judicial officer and preside over the hearing requested by Respondent.
- 5. The Insurance Commissioner, pursuant to *OAC 365:1-7-5*, upon written request reasonably made by a person affected by the hearing and at such person's expense, shall cause a full stenographic record of the proceedings to be made by a competent court reporter.

#### **ALLEGATIONS OF FACTS**

- 6. Respondent's resident limited lines producer license expired on October 31, 2017, with the Oklahoma Insurance Department ("OID").
  - 7. Respondent submitted a renewal application on August 15, 2018.
- 8. On August 15, 2018, the Oklahoma Insurance Department ("OID") Licensing Division requested information regarding the sale or solicitation of limited lines policies in the State of Oklahoma after the expiration of Respondent's License on October 31, 2017.
- 9. On or about August 21, 2018, Respondent provided a list of limited lines policies sold from November 1, 2017 to present.
- 10. Pursuant to 36 O.S. §§ 1435.26(C) and 1435.13(A)(2) it is a violation of the Producer Licensing Act for a limited lines producer to sell or solicit limited lines

policies without being duly license.

#### ALLEGED CONCLUSIONS OF LAW

11. Respondent has violated 36 O.S. §§ 1435.13(A)(2) and 1435.26(C) by selling or soliciting limited lines policies without proper licensure from the Oklahoma Insurance Commissioner.

#### ORDER

Commissioner, subject to the following paragraph, that Respondent is hereby CENSURED and FINED ONE HUNDRED (\$100.00) for violating of 36 O.S. §§ 1435.13(A)(2) and 1435.26(C). The \$100.00 fine is to be paid within thirty (30) days of this Conditional Administrative Order and made payable to the Oklahoma Insurance Department. Respondent's application for the renewal of his resident limited lines producer license shall be granted upon receipt of payment of the fine. Failure to pay the civil fine or request a hearing within thirty (30) days will result in your renewal license application being withdrawn.

Commissioner that this Order is a Conditional Order. Unless Respondent requests a hearing with respect to the Allegations of Fact set forth above within thirty (30) days of mailing of this Order, this Order and the penalties set forth above shall become a Final Order on the thirty-first (31<sup>st</sup>) day following the mailing of this Order. A request for hearing shall be in writing and addressed to Sandra LaVenue, Oklahoma Insurance Department, Legal Division, 3625 NW 56<sup>th</sup> St., Suite 100, Oklahoma City, Oklahoma 73112. Additionally, the request for hearing shall state the grounds for the request to set

aside or modify the Order. The request shall be served on the Oklahoma Insurance Department within the thirty (30) days allotted. The proceedings on such requested hearing will be conducted in accordance with the Oklahoma Insurance Code, 36 O.S. §§ 101 et seq., and the Oklahoma Administrative Procedures Act, 75 O.S. §§ 250 through 323. If Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order shall act as a notice of the matters to be reviewed at the hearing and the Allegations of Fact, Alleged Violations of Law, and penalties imposed in this Conditional Order shall be considered withdrawn, pending final resolution at the hearing.

**WITNESS** My Hand and Official Seal this <u>I</u> day of September, 2018.

JOHN D. DOAK

INSURANGE COMMISSIONER

STATE OF OKLAHOMA

Sandra LaVenue OBA# 13372

Oklahoma Insurance Department 3625 NW 56<sup>th</sup> Street, Suite 100

Oklahoma City, Oklahoma 73112

(405) 521-2746

### **CERTIFICATE OF MAILING**

I, Sandra LaVenue, hereby certify that a true and correct copy of the above and foregoing *Conditional Administrative Order and Notice of Right to be Heard* was mailed by certified mail, postage prepaid and return receipt requested, on this \( \sum\_{\text{M}} \) day of September 2018, to:

Marrik Vandersee 122 N. Broadway Weatherford, OK 73096

CERTIFIED MAIL NO. 9214 8902 0982 7500 0127 66

and a copy was delivered to:

Karen Wojtek Licensing Division

> Sandra LaVenue Senior Counsel



September 19, 2018

Dear Sherry Standerfer:

The following is in response to your request for proof of delivery on your item with the tracking number: **9214 8902 0982 7500 0127 66**.

Item Details

Status: Delivered, Left with Individual

Status Date / Time: September 13, 2018, 10:11 am

**Location:** WEATHERFORD, OK 73096

Postal Product: First-Class Mail®
Extra Services: Certified Mail™

Return Receipt Electronic

Recipient Name: MARRIK VANDERSEE

**Shipment Details** 

Weight: 2.0oz

Recipient Signature

Signature of Recipient:

Address of Recipient:

Jun Dent 122 N Broadnay

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